

All communications respecting this case should identify it by number and names of parties.



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PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Applicants: Adams et al.  
Serial No.: 08/482,785  
Filed: 6/07/95  
For: RECOMBINANT DNASE B  
DERIVED FROM STREPTOCOCCUS  
PYOGENES

Accorded Benefit of: Application  
08/393,889 filed 2/24/95; and  
Application 08/082,845 filed  
6/23/93

This case referred to above has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with other cases hereafter specified. Attention is directed to the fact that this interference is declared pursuant to 37 CFR § 1.601 et seq., effective February 11, 1985 (49 Fed. Reg. 48416 (1984); 1050 Off. Gaz. Pat. & Trademark Office 385 (Jan. 29, 1985)), and amendments effective April 21, 1995. See Notice of Final Rule, 60 Fed. Reg. 14,488 (1995), reprinted in 1173 Off. Gaz. Pat. & Trademark Office 36 (Apr. 11, 1995). A clean copy of the interference rules, as amended, appears at 1173 Off. Gaz. Pat. & Trademark Office 384 (Apr. 18, 1995). The interference is designated as No. 103,760.

By direction of the Commissioner of Patents and Trademarks and as required by 35 U.S.C. § 135(c), notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference."

Attachment  
(37 CFR § 1.611(c))

The parties involved in this interference are:

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Application:

Application 08/482,785 filed 6/07/95

For:

Recombinant Dnase B Derived From  
Streptococcus Pyogenes

Assignee:

None

Attorneys:

William H. May, Arnold Grant, Gary T. Hampson,  
Janis C. Henry

Associate Attorney:

None

Accorded Benefit of:

Application 08/393,889, filed 2/24/95; and  
Application 08/082,845, filed 6/23/93.

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(Attachment continued)

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Application:

Application 08/188,721 filed 1/31/94

For:

Streptococcal Mitogenic Factor, Gene Thereof and Method of  
Microdetection Therefor

Application 087482,785.

Assignee: None

Attorney: Raymond C. Stewart, Joseph A. Kolasch, James M. Slattey,  
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Associate Attorney: None

Accorded Benefit of: Japan 5-37383 filed 2/01/93

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(Attachment continued)

COUNT 1

Claim 64 of Application 08/482,785 to Adams et al.

or

Claim 19 of Application 08/188,721 to Yutsudo et al.

Claim 64 of Application 08/482,785 to Adams et al. reads as follows:

64. An isolated polynucleotide consisting of a nucleotide sequence encoding the amino acid sequence indicated in Figure 4, SEQ ID NO:9.

SEQ ID NO:9 in Figure 4 of Adams et al. reads as follows:

FIGURE 4

AMINO ACID SEQUENCE OF CLONED S. DYSGENES DNase

R-Q-T-Q-V-S-N-D-V-V-L-N-D-G-A-S-K-Y-L-N-  
E-A-L-A-W-T-F-N-D-S-P-N-Y-Y-K-T-L-G-T-S-  
Q-I-T-P-A-L-F-P-K-A-G-D-I-L-Y-S-K-L-D-E-  
L-G-R-T-R-T-A-R-G-T-L-T-Y-A-N-V-E-G-S-Y-  
G-V-R-Q-S-F-G-K-N-Q-N-P-A-G-W-T-G-N-P-N-  
H-V-K-Y-K-I-E-W-L-N-G-L-S-Y-V-G-D-F-W-N-  
R-S-H-L-I-A-D-S-L-G-G-D-A-L-R-V-N-A-V-T-  
G-T-R-T-Q-N-V-G-G-R-D-Q-X-G-G-M-R-Y-T-E-  
Q-R-A-Q-E-W-L-E-A-N-R-D-G-Y-L-Y-Y-E-V-A-  
P-I-Y-N-A-D-E-L-I-P-R-A-V-V-V-S-M-Q-S-S-  
D-N-T-I-N-E-K-V-L-V-Y-N-T-A-N-G-Y-T-I-N-  
Y-H-N-G-T-P-T-Q-X

(SEQ ID NO: 9)

Claim 19 of Application 08/188,721 to Yutsudo et al. reads as follows:

19. An isolated polynucleotide consisting of a nucleotide sequence encoding the amino acid indicated in SEQ. ID NO. 2.

SEQ. ID NO. 2 of Yutsudo et al. reads as follows:

168	Met	Asn	Leu	Leu	Gly	Ser	Arg	Arg	Val	Phe	Ser	Lys	Lys	Cys	Arg	Leu
169	1				5					10					15	
170																
171	Val	Lys	Phe	Ser	Met	Val	Ala	Leu	Val	Ser	Ala	Thr	Met	Ala	Val	Thr
172				20					25					30		
173																
174	Thr	Val	Thr	Leu	Glu	Asn	Thr	Ala	Leu	Ala	Arg	Gln	Thr	Gln	Val	Ser
175				35				40					45			
176																
177	Asn	Asp	Val	Val	Leu	Asn	Asp	Gly	Ala	Thr	Lys	Tyr	Leu	Asn	Glu	Ala
178		50					55					60				
179																
180	Leu	Ala	Trp	Thr	Phe	Asn	Asp	Ser	Pro	Asn	Tyr	Tyr	Lys	Thr	Leu	Gly
181	65					70					75				80	
182																
183	Thr	Ser	Gln	Ile	Thr	Pro	Ala	Leu	Phe	Pro	Lys	Ala	Gly	Asp	Ile	Leu
184				85						90					95	
185																
186	Tyr	Ser	Lys	Leu	Asp	Glu	Leu	Gly	Arg	Thr	Arg	Thr	Ala	Arg	Gly	Thr
187				100					105					110		
188																
189	<del>Leu</del>	Thr	Tyr	Ala	Asn	Val	Glu	Gly	Ser	Tyr	Gly	Val	Arg	Gln	Ser	Phe
190			115					120					125			
191																
192	Gly	Lys	Asn	Gln	Asn	Pro	Ala	Gly	Trp	Thr	Gly	Asn	Pro	Asn	His	Val
193		130					135					140				
194																
195	Lys	Tyr	Lys	Ile	Glu	Trp	Leu	Asn	Gly	Leu	Ser	Tyr	Val	Gly	Asp	Phe
196	145				150						155				160	
197																
198	Trp	Asn	Arg	Ser	His	Leu	Ile	Ala	Asp	Ser	Leu	Gly	Gly	Asp	Ala	Leu
199				165						170				175		
200																
201	Arg	Val	Asn	Ala	Val	Thr	Gly	Thr	Arg	Thr	Gln	Asn	Val	Gly	Gly	Arg
202			180						185					190		
203																
204	Asp	Gln	Lys	Gly	Gly	Met	Arg	Tyr	Thr	Glu	Gln	Arg	Ala	Gln	Glu	Trp
205			195					200					205			
206																
207	Leu	Glu	Ala	Asn	Arg	Asp	Gly	Tyr	Leu	Tyr	Tyr	Glu	Ala	Ala	Pro	Ile
208		210					215					220				
209																

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210	Tyr	Asn	Ala	Asp	Glu	Leu	Ile	Pro	Arg	Ala	Val	Val	Val	Ser	Met	Gln
211	225					230					235					240
212																
213	Ser	Ser	Asp	Asn	Thr	Ile	Asn	Glu	Lys	Val	Leu	Val	Tyr	Asn	Thr	Ala
214					245					250					255	
215																
216	Asn	Gly	Tyr	Thr	Ile	Asn	Tyr	His	Asn	Gly	Thr	Pro	Thr	Gln	Lys	
217				250					265					270		
218																

The claims of the parties which correspond to Count 1 are:

Adams et al .:                      Claims 1-3, 26, 50 and 64

Yutsudo et al.:                    Claims 19-23, 26 and 27